



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,197	08/21/2001	Daisuke Ito	0879-0346P	6456
2292 7590 12/04/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
JONES, HEATHER RAE				
ART UNIT		PAPER NUMBER		
2621				
NOTIFICATION DATE		DELIVERY MODE		
12/04/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

09/933,197

Applicant(s)

ITO ET AL.

Examiner

HEATHER R. JONES

Art Unit

2621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 10, 20 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 20 and 26-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed August 10, 2007, with respect to the rejection(s) of claim(s) 1, 10, 20, and 26-29 have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of a newly found prior art reference.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 10, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (U.S. Patent 5,953,481) in view of Steinberg et al. (U.S. Patent 5,862,217) in view of Sehr (U.S. Patent .

Regarding claim 1, Watanabe et al. discloses a reproducing apparatus having an editing function, which includes a camera-integrated type VTR that comprises a body (10), a control part provided to the body (2), the control part (2) being operated by a user (the control part (2) is operated by the user through the input key group (5)); a communication device which transmits image data (col. 10, lines 16-20); a wireless communication device (3) that transmits operation information corresponding with operation of the control part (2) to an external

apparatus (11) to remotely control the external apparatus (11) (col. 9, lines 61-67; col. 10, lines 1-38) when within a predetermined distance therefrom; a storing device that stores identification information for specifying the external apparatus (col. 8, lines 8-12); and a specifying device that specifies the external apparatus from the identification information stored in the storing device (col. 9, lines 50-55) (col. 8, lines 8-12 – the remote-control signals which are respectively associated for use with the VTRs as registered). However, Watanabe et al. does not specifically disclose that the wireless communication device transmits image data and an enciphering device that enciphers, according to the identification information, at least one of the image data and the operation information.

Referring to the Steinberg et al. reference, Steinberg et al. discloses a remote video transmission system wherein image data is transmitted wirelessly from a camera-integrated device (10) to an external apparatus (12) (Fig. 1; col. 2, lines 49-64; col. 3, lines 31-35) and an enciphering device that enciphers image data (abstract – encrypts image data).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the image data transmitted by Watanabe et al. would be transmitted wirelessly, in the manner taught by Steinberg et al., so communication would be made easier by being accessible in areas where standard lines are inaccessible. However, Watanabe et al. in view of Steinberg et al. still fail to disclose an enciphering device that enciphers,

according to the identification information, at least one of the image data and the operation information.

Referring to the Sehr reference, Sehr discloses an apparatus capable of securely sending a message to a receiver according to the an encryption process wherein the sender encodes the message with a public key specific to the receiver and wherein the receiver uses its private key specific to that receiver to decrypt the message (col. 28, lines 24-50).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have securely sent the image data encrypted by Watanabe et al. in view of Steinberg et al. by encrypting the image data according to the receiver in order to ensure that only the receiver can decrypt the image data.

Regarding claim **10**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations previously discussed with respect to claim 1 as well as Watanabe et al. further disclosing that the control part (2) comprises an operation key (input key group (5)).

Regarding claim **26**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations previously discussed with respect to claim 1 including that the wireless communication device establishes a connection with the external apparatus prior to transmitting image data (Steinberg et al.: col. 2, line 65 – col. 3, line 35).

Regarding claim **27**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations previously discussed with respect to claims 1 and 26 including that once the connection is established with the external apparatus, the electronic camera transmits image data to the external device upon receipt of a request for transmission of image data (Steinberg et al.: col. 2, line 65 – col. 3, line 35; col. 5, lines 11-13).

Regarding claim **28**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations previously discussed with respect to claims 1, 26, and 27 including that the external device is a personal computing device (Watanabe et al.: Fig. 1; Steinberg et al.: Fig. 1).

4. Claims 20 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. in view of Sehr as applied to claim 1 above, and further in view of Peters (U.S. Patent 6,601,093).

Regarding claim **20**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations as previously discussed with respect to claim 1, but does not specifically disclose the wireless communication device automatically initiates communication with the external device without any action by the user when the camera is within a predetermined distance of the external apparatus.

Referring to the Peters reference, Peters discloses a networking environment that utilizes the Bluetooth™ technique, which is a technique that enables devices containing radio modems to be automatically detected upon

coming into radio proximity with one or more other similarly-equipped devices (col. 6, lines 44-49). Peters gives the example of this technique being utilized between a wireless computer and server, wherein the wireless computer establishes communication with the server upon coming into proximity of the signal field of the server (col. 4, lines 41-50). Peters further states that the low-powered radio module defined by Bluetooth standard is intended to be built into various devices, including digital cameras (col. 6, lines 59-64), and that the advantages of using this technology include offering a great convenience to users in that devices can easily be added or moved without the inconvenience and expense of cables or in-premises wiring (col. 5, lines 1-19).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Bluetooth technique disclosed by Peters into the electronic camera of Watanabe et al. in view of Steinberg et al. in view of Sehr, making the camera a Bluetooth-enabled device, to offer a great convenience to users in that the camera can easily be moved without the inconvenience and expense of cables or in-premises wiring when connected to the external device, and also to reduce power consumption which would occur if the external device was left on when not in use, but rather would turn the external device on when the camera is within a predetermined distance.

Regarding claim **29**, Watanabe et al. in view of Steinberg et al. in view of Sehr discloses all the limitations as previously discussed with respect to claim 1 including that upon request to transmit image data, the wireless communication

device transmits image data to the external device. However, Watanabe et al. in view of Steinberg et al. fails to disclose the camera automatically selecting a device to connect to.

Referring to the Peters reference, Peters discloses a networking environment that utilizes the Bluetooth™ technique, which is a technique that enables devices containing radio modems to be automatically detected upon coming into radio proximity with one or more other similarly-equipped devices (col. 6, lines 44-49). Peters gives the example of this technique being utilized between a wireless computer and server, wherein the wireless computer establishes communication with the server upon coming into proximity of the signal field of the server (col. 4, lines 41-50), which means that the camera automatically selects a device to connect to. Peters further states that the low-powered radio module defined by Bluetooth standard is intended to be built into various devices, including digital cameras (col. 6, lines 59-64), and that the advantages of using this technology include offering a great convenience to users in that devices can easily be added or moved without the inconvenience and expense of cables or in-premises wiring (col. 5, lines 1-19).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Bluetooth technique in order to automatically select a device to connect to disclosed by Peters into the electronic camera of Watanabe et al. in view of Steinberg et al. in view of Sehr, making the camera a Bluetooth-enabled device, to offer a great convenience to

users in that the camera can easily be moved without the inconvenience and expense of cables or in-premises wiring when connected to the external device, and also to reduce power consumption which would occur if the external device was left on when not in use, but rather would turn the external device on when the camera is within a predetermined distance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEATHER R. JONES whose telephone number is (571)272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Art Unit: 2621

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
Art Unit 2621

HRJ
November 22, 2008

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621